

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 877**

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**Introduced by Assembly Member Emmerson**

February 26, 2009

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An act to *add Section 687 to the Business and Professions Code*, relating to healing arts.

### LEGISLATIVE COUNSEL'S DIGEST

AB 877, as amended, Emmerson. Healing ~~arts~~: *arts: scope of practice*.

Existing law provides for the licensure and regulation of various healing arts practitioners by boards within the Department of Consumer Affairs and the department is under the control of the Director of Consumer Affairs.

~~This bill would declare the intent of the Legislature to enact legislation authorizing the Director of Consumer Affairs to appoint a specified committee of 7 members to perform occupational analyses, as specified, and to prepare written reports on any bill that seeks to expand the scope of a healing arts practice.~~

*This bill would require the Director of Consumer Affairs to appoint a scope of practice committee of 5 members, as specified, to perform occupational analyses and prepare written reports, as specified, on any bills seeking to substantively expand the scope of a healing arts practice. The bill would require that the reasonable cost of an analysis and report be paid by the affected licensing board, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. It is the intent of the Legislature to provide a*  
2     *procedure for objective review of proposed changes in the scope*  
3     *of practice of health professionals licensed by the state in order*  
4     *to ensure that the changes contribute to the improvement of the*  
5     *overall health of the people of California.*

6     *SEC. 2. Section 687 is added to the Business and Professions*  
7     *Code, to read:*

8     687. (a) (1) *The Director of Consumer Affairs shall appoint*  
9     *a scope of practice committee to perform occupational analyses*  
10    *and prepare written reports on any bills introduced in either house*  
11    *of the Legislature that seek to substantively expand the scope of*  
12    *practice of any person licensed under this division or under any*  
13    *initiative act referred to in this division.*

14    (2) *The committee shall be comprised of five members as*  
15    *follows:*

16    (A) *Two academics, one representing each side of the scope of*  
17    *practice issue.*

18    (B) *Two practitioners, one representing each side of the scope*  
19    *of practice issue.*

20    (C) *One public member.*

21    (b) *The Assembly Committee on Business and Professions or*  
22    *the Senate Committee on Business, Professions and Economic*  
23    *Development, upon notification of an introduced bill proposing*  
24    *to substantively expand the scope of a healing arts practice, shall*  
25    *provide the bill to the scope of practice committee for performance*  
26    *of the occupational analysis pursuant to subdivision (a).*

27    (c) *The committee shall, within 90 days of receipt of the bill,*  
28    *prepare a written report of its analysis pursuant to subdivision*  
29    *(a). The written report shall do all of the following:*

30    (1) *Evaluate the education, training, and experience of all*  
31    *healing arts practices that would be affected by the proposed*  
32    *substantive expansion of the scope of practice.*

33    (2) *Evaluate the quality and quantity of the training provided*  
34    *by the health care professional degree curricula and postgraduate*  
35    *training programs to health care practitioners in active practice*  
36    *with regard to the increased scope of practice proposed.*

37    (3) *Review other states that have a scope of practice for the*  
38    *relevant healing arts practice that is identical or similar to the*

1 *proposed change and any available information on how that scope*  
2 *of practice has affected the quality and cost of health care in those*  
3 *states.*

4 *(d) The reasonable cost of an occupational analysis and written*  
5 *report shall be paid by the licensing board for the healing arts*  
6 *practice that would be subject to the proposed expanded scope of*  
7 *practice from funds made available to the board for that purpose.*

8 ~~SECTION 1. (a) It is the intent of the Legislature to enact~~  
9 ~~legislation that would authorize the Director of Consumer Affairs~~  
10 ~~to appoint a committee to perform occupational analyses on various~~  
11 ~~healing arts practices, to include, but not be limited to, education,~~  
12 ~~training, and experience, and to prepare a written report on any~~  
13 ~~bill introduced in either house of the Legislature that seeks to~~  
14 ~~expand the scope of a healing arts practice as described in Division~~  
15 ~~2 of the Business and Professions Code.~~

16 ~~(b) It is the intent of the Legislature that the committee be~~  
17 ~~comprised of seven members as follows: two academics~~  
18 ~~representing each side of the scope of practice issue, one~~  
19 ~~practitioner representing each side of the scope of practice issue,~~  
20 ~~and one public member.~~

21 ~~(c) It is further the intent of the Legislature that the cost of the~~  
22 ~~occupational analyses and the written reports be borne on the~~  
23 ~~healing arts practice requesting the expanded scope of practice.~~